IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

CRIMINAL NO. 3:14-CR-00236-FDW-DSC

UNITED STATES OF AMERICA,)	
)	
)	
)	ORDER
v.)	
)	
DAVID SIMS JR,)	
)	
Defendant.)	

THIS MATTER is before the Court on the Defendant's "Motion for Inquiry into Status of Counsel" (document # 12) filed February 11, 2016. The Court held a hearing in this matter on February 12, 2016.

At the request of appointed counsel Rahwa Gebre-Egziabher, the Court conducted part of the hearing ex parte. Defendant appears to want counsel to file a motion suppress. He and counsel also appear to disagree on their interpretations of the facts of his case. Ms. Gebre-Egziabher represents that Defendant does not trust her and that she is unable to communicate with him effectively. The Court concludes that the attorney-client relationship has deteriorated to the extent that new counsel should be appointed.

The Court advised Defendant that his circumstances will not change with the appointment of new counsel. The Court further advised him that it is his counsel's decision whether or not to file a motion to suppress.

Based upon the foregoing, the Court relieves Ms. Gebre-Egziabher from further representation of Defendant and directs the Federal Defender to appoint new counsel. The Clerk

is directed to send copies of this Order to counsel for the parties, including but not limited to moving counsel; and to the Honorable Frank D. Whitney

SO ORDERED.

Signed: February 12, 2016

David S. Cayer

United States Magistrate Judge